

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATIONS
MECHANICAL BOARD**

1511 Pontiac Avenue

Building 70 – 2nd Floor Conference Room

Cranston, RI 02920

TUESDAY, FEBRUARY 6, 2008

In attendance: Michael Carreiro, Acting Chairperson

Timothy Byrne

John Webster

Michael Januario

Bobby Joe Harris

Quinlan Regan

Jack King, Jr.

Ronald Cronin

**Not in Attendance: Stanley Davies, Chairperson, Dennis Brennan,
Raymond Freitas**

**Also in Attendance: Benjamin Copple, Esquire, Robert Gaj,
Investigator, Charles Wright, Investigator, Ted Whittaker, Investigator,
Ronald D'ambruoso, and Louis Andronaco/Village Fire Protection,**

LLC, Emy Adams, Co-owner of Village Fire Protection, LLC

There was a Quorum today.

Review of examinations will be performed after the Board meeting.

Chairperson, Stanley Davies, was not at our Board meeting today. Michael Carreiro served as Acting Chairperson at today's Board meeting. Board meeting was called to order at 9:03 a.m.

There are (2) two hearings for today.

Ted Whittaker, Charles Wright, Robert Gaj, Louis Andronaco, and Emy Adams were sworn in by the Board Stenographer.

1. Louis M. Andronaco/Village Fire Protection, LLC #3341 –

Ted Whittaker read the violation: Place of Violation: Little Gym, Apple Valley Mall, Smithfield, RI 02919. Violation(s): On December 20, 2007, RIDLT Investigator, Robert Gaj, found three (3) employees of Village Fire Protection, LLC (Matthew C. Duncan, 47 Bald Hill Road, Milford, NH 03055; Travis Statler, 9 Beech Street, Apt. 3, Milford, NH 03055; and Justin E. Chase, 9 Beech, Apt. 3, Milford, NH 03055), installing fire sprinkler piping. These three employees are not licensed in RI to perform this type of work. This is three (3) violations of RIGL 28-27-28 "Practices for which a license is required".

Mr. Louis M. Andronaco is not properly licensed as a Fire Protection Master in RI. This is one (1) violation of RIGL 28-27-5 "Practices for which a master or contractor license is required."

The Town of Smithfield has no Mechanical Permit for this installation. This is one (1) violation of RIGL 28-27-20 "State and municipal inspections and installation permits".

Louis Andronaco and Emy Adams, Co-Owner of Village Fire Protection is licensed with the State of Massachusetts. Emy Adams informed the Board that she applied for an application in November of 2006 by the Contractor's Board and was issued a registration license. They currently have no sprinkler license in Rhode Island. They also informed the Board that they received information from the Secretary of State office. Contractor's Board informed them that they were ok to perform commercial work. The application form was changed from registration form to a commercial form.

The Board determined that Louis Andronaco, and Emy Adams were lead astray by incorrect information that was given by the Contractor's Board, (in that they filled out a Commercial Application at the Contractor's Registration Board to perform the work), the Town of Smithfield, and by the Secretary of State, all of whom should have directed them to our office for help. Copies of Commercial

Application from the Contractor's Registration Board, and also a copy of Application for Registration (Limited Liability Company) are on file with the Stenographer.

A mechanical permit was pulled on January 9, 2008, (after the job had been completed), but the job was started on December 20, 2007. The job had already been completed at the time the Mechanical permit was taken out.

Louis Andronaco and Emy Adams also thought that their Massachusetts license would be valid in Rhode Island. Louis Andronaco has since turned in an application for examination for Master Sprinkler Pipefitter in Rhode Island.

John Webster made a motion that pertaining to the first violation regarding Violation No. 3341, a Finding of Fact occurred regarding RIGL 28-27-28 "Practices for which a license is required", for which Mr. Andronaco had three (3) employees who were not licensed in RI to perform this type of work. Timothy Byrne seconded the motion. All Board members were in favor. Board voted unanimously.

John Webster made a motion pertaining to Violation No. 3341, second violation, that a Finding of Fact occurred regarding RIGL 28-27-5 "Practices for which a master or contractor's license is required. Timothy Bryne seconded the motion. All Board members were in favor. Board voted unanimously.

John Webster made a motion that pertaining to Violation No. 3341, the third violation, that a Finding of Fact occurred regarding RIGL 28-27-20 "State and municipal inspections and installation permits". (There was no permit taken out with the Town of Smithfield at the time the work was performed). Timothy Byrne seconded the motion. All Board members were in favor, except for Jack King, who was opposed.

John Webster made a motion that the fine of \$2,500 (\$500 for each of the five (5) violations be upheld. Timothy Byrne seconded the motion. All Board members were in favor. All Board members were in favor, except for Jack King, who was opposed.

Copies of all applications, along with a copy of the test application were put into the file by the Stenographer.

Mr. Andronaco was informed that he would be receiving a recommendation in the mail from the Director.

2. Allen S. Roseberry - #3327

Allen S. Roseberry was not present at today's meeting. The Board was informed that Mr. Roseberry was correctly notified by certified and regular mail.

Ted Whittaker read the violation. Location of violation: CVS corner of Franklin Street and Airport Road, Westerly, RI. Violation(s): After calling the Westerly Town Hall to check on a permit pertaining to the CVS project, located at the Franklin Street and Airport Road, Westerly, RI, it became obvious that no permit was taken out to perform a fire protection sprinkler installation. This is one (1) violation of RIGL 28-27-20 "State and municipal inspections and installation permits".

The Contractor on record is Dynamic Fire Protection of Berlin, MA and Manchester, NH. The sprinkler master license holder is Mr. Allen S. Roseberry, License No. 391.

Ted Whittaker informed the Board members that he was doing an inspection on the jobsite and he called Westerly Town Hall and found that the job that was in progress and had been started, there was no permit was taken out on the project prior to the start of the job, the job was practically finished when the permit was pulled.

John Webster made a motion that a Finding of Fact occurred

regarding RIGL 28-27-20 "State and municipal inspections and installation permits". Michael Januario seconded the motion. All Board members were in favor.

-4-

John Webster made a motion to uphold the fine of \$500 pertaining to RIGL 28-27-24. Bobby Joe Harris seconded the motion. All board members were in favor. Board voted unanimously.

New Business:

Charles Wright passed out to all Board members a letter from Chris Mathias who wanted to come before the Board to ask if he can sit for the Sheet Journeyperson II examination.

Ron Cronin made a motion to have Chris Mathias sit for the examination. Quinlan Regan seconded the motion. All Board members were in favor.

Other Business:

Douglas Lombardi addressed the Board and wants to sit for the Refrigeration Journeyman 2 examination.

Douglas Lombardi gave testimony that he thought he was properly licensed as an apprentice, but later found out that he was not registered as an apprentice.

Douglas Lombardi has reference letters of schooling and work experience and is currently registered with a company as an apprentice now.

Bobby Joe Harris made a motion to have Douglas Lombardi sit for the Refrigeration Journeyman 2 examination. Michael Januario seconded the motion. Jack King recused himself from this matter. (Recusal form was filled out by Jack King).

Discussion was held by Board members regarding questions regarding when an individual is hired in the indentured apprentice program, they are given a 1099 form, and the contractor does not pay for TDI or insurance. Ron D'ambrosio brought up the fact that a warning letter should be sent to the contractor that they cannot do this, and if the matter continues, then contractor will be in violation.

John Webster made a motion that a letter should go out by Ronald D'Ambruso as a warning to the sub-contractor who hires an apprentice, who has work experience, but the sub-contractor does

not document the paperwork as having a registered apprentice.

Benjamin Copple, Esquire will get back to the Board next month regarding the legislation of the above matter.

Election of Chairperson and Vice Chairperson will take place at our March meeting.

There was no further business before the Board.

-5-

Michael Januario made a motion to adjourn the Board meeting at 10:05.

Minutes respectively submitted by Elaine J. Heiss, February 6, 2008.

The next meeting of the Mechanical Board is March 5, 2008 at 10:00 am in Building #70, 2nd floor conference room, 1511 Pontiac Avenue, Cranston, RI 02920.